

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BEVERLY TERCHO, EXECUTRIX OF)	
THE ESTATE OF JOHN TERCHO,)	
)	
Plaintiff,)	CIVIL ACTION NO. 05-176E
)	
v.)	JUDGE McLAUGHLIN
)	
UNITED STATES OF AMERICA,)	(<i>Electronic Filing</i>)
)	
Defendant.)	

A N S W E R

AND NOW, comes Defendant, United States of America, through its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania and Michael C. Colville, Assistant U.S. Attorney for said district and files the following Answer to Plaintiff's Complaint as follows:

1. The allegation contained in paragraph 1 of Plaintiff's Complaint is admitted based upon information and belief.

2. The allegation contained in paragraph 2 of Plaintiff's Complaint is admitted.

3. It is admitted that Defendant received an administrative Complaint from Plaintiff (SF 95) on May 22, 2002 and that Defendant did not make a final disposition of the administrative claim within six months. The remaining allegations contained in paragraph 3 of Plaintiff's Complaint are conclusions of law for which no answer is required, To the extent an answer is

deemed necessary, said allegations are denied.

4. The allegations contained in paragraph 4 of Plaintiff's Complaint are admitted.

5-12. Defendant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraphs 5 through 12 of Plaintiff's Complaint, as such, said allegations are denied.

13-14. The allegations contained in paragraphs 13 and 14 of Plaintiff's Complaint are denied.

15. Defendant denies each and every other allegation set forth in Plaintiff's Complaint not hereinafter specifically admitted or denied.

Respectfully submitted,

MARY BETH BUCHANAN
United States Attorney

s/Michael C. Colville
MICHAEL C. COLVILLE
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Western District of PA
U.S. Post Office & Courthouse
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Pittsburgh, PA 15219
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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of August, 2005, a true and correct copy of DEFENDANT'S ANSWER has been served by electronic filing and/or postage paid U.S. Mail, upon the following:

David L. Hunter, Esquire
821 State Street
Erie, PA 16501

s/Michael C. Colville
MICHAEL C. COLVILLE
Assistant U.S. Attorney